

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Gram Panchayats – Srikakulam District – Cancellation of resolution passed by the Gram Panchayat, Palakonda and De-notification of Palakonda Gram Panchayat in Srikakulam District - Notification – Issued.

PANCHAYAT RAJ AND RURAL DEVELOPMENT (Pts.IV) DEPARTMENT

G.O.Ms.No. 90

Dated: 13-03-2013

Read the following: -

1. G.O.Ms.No.542, PR&RD (Pts.IV) Dept., dt.03-12-2007.
2. From the District Collector, Srikakulam, Lr. Roc. No. 956/09 A3, dt, 12-12-09.
3. From the Commissioner & Director of Municipal Dept., Lr Roc. No.21616/09-Ele-1, dt. 19-12-09.
4. Government Memo No.5152/Pts.IV/A1/10-1, dt.17-05-2011.
5. Government Memo No.5152/Pts.IV/A1/10-2, dt.09-06-2011.
6. From the Hon'ble High Court order dt. 27-07-2011 in W.P.No.21032/11.

ORDER:

In the letter 2nd read above, the District Collector, Srikakulam has sent a proposal for up-gradation of Palakonda Gram Panchayat as Nagar Panchayat in Srikakulam District through Commissioner & Director of Municipal Administration vide letter 3rd read above.

2) In the reference 5th read above, a show-cause notice has been issued to the Gram Panchayat, Palakonda asking as to why the Gram Panchayat Palakonda could not be upgraded as Nagara Panchayat. In response to the show cause notice, the District Collector, Srikakulam has obtained the views of the Gram Panchayat, vide reference 5th read above and submitted to the Government stating that the Gram Panchayat, Palakonda has opposed the proposal mentioning various reasons in their resolution.

3) In the reference 6th read above, the Sarpanch of Palakonda Gram Panchayat, Srikakulam has filed the W.P.No.21032/11 in the Hon'ble High Court challenging the Government Memo Dated: 09.06.2011. The Hon'ble High Court has disposed the W.P.No. 21032/11 Dated: 27.07.2011 and permitted the Gram Panchayat Palakonda to submit their objections, if any, against the proposed up gradation of their Gram Panchayat as Nagara Panchayat within the period of two weeks from the date of order i.e.27-07-2011 and directed the Government to take into consideration the objection if so received with in the said period, the same shall be taken into consideration by the Government while taking a decision in the subject matter. The Sarpanch, Palakonda has not submitted representation/objections to the Government.

4) Government have examined the objections raised by the Gram Panchayat, Palakonda and found that the objections are mere apprehensions without any basis and that there is no substance in any of the objections put forth by the Gram Panchayat. The decision of up gradation of Palakonda Gram Panchayat as Nagar Panchayat has been taken in the larger interests of the people of the area keeping in view of its over all development and to provide better amenities to the public, and hence the Government have felt that the objections raised by the above Gram Panchayat, Palakonda are not maintainable and do not deserve consideration. Therefore, the Government have decided to cancel the resolution No. 637, Dated:23-06-2011 passed by the Gram Panchayat, Palakonda so as to upgrade the Gram Panchayat, Palakonda as Nagar Panchayat in Srikakulam District.

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5) Government, after careful examination have decided to cancel the Notification issued, declaring Palakonda as Gram Panchayat, so as to upgrade the Palakonda Gram Panchayat as Nagar Panchayat.

6) Therefore, the following Notifications will be published in an Extra-ordinary Issue of the Andhra Pradesh Gazette dated: 15 -03-2013.

7) The Commissioner of Printing, Stationary & Stores Purchase, Hyderabad shall publish the following Notification in the Andhra Pradesh Gazette and furnish (30) copies of the same to the Government immediately.

NOTIFICATION-I

In exercise of the powers conferred under sub section (1) of section 246 of the Andhra Pradesh Panchayat Raj Act, 1994 (Andhra Pradesh Act. No. 13 of 1994) the Governor of Andhra Pradesh hereby cancels the Resolution No. 637, dated 23.06.2011 passed by the Gram Panchayat, Palakonda in Srikakulam District opposing for upgrading the Gram Panchayat as Nagar Panchayat.

NOTIFICATION-II

In exercise of the powers conferred under clause (f) of sub-section (2) of Section 3 of the Andhra Pradesh Panchayat Raj Act, 1994 (Andhra Pradesh Act No.13 of 1994) read with clause (i) of sub-rule (1) of rule 12 of the Andhra Pradesh Gram Panchayats (Declaration of Villages) Rules, 2007 issued in the G.O.Ms.No. 542, Panchayat Raj and Rural Development (Pts.IV) Department, Dated: 3.12.2007, the Governor of Andhra Pradesh hereby cancels the Notifications issued declaring the Village i.e., Palakonda as Gram Panchayat, so as to upgrade the Palakonda Gram Panchayat as Nagar Panchayat in Srikakulam District.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

V. NAGI REDDY
PRINCIPAL SECRETARY TO GOVERNMENT

To,
The Commissioner, Printing, Stationary & Stores Purchase, Hyderabad.
The Commissioner, Panchayat Raj and Rural Employment, A.P., Hyderabad.
The District Collector (PW), Srikakulam District.

Copy to:-

The District Panchayat Officer, Srikakulam District.
The P.S. to Spl Secretary to C.M.
The P.S. to Minister (PR&RWS).
The PR&RD(Genl) Dept.,
The PR&RD (Mdl.11.A) Dept.,
The Law (A) Department.
Sf/Sc

// FORWARDED:: BY ORDER //

SECTION OFFICER